

# Dale W. Schultz

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To Members, Assembly Committee on Transportation

From Senator Dale Schultz

Date July 19, 2007

Re NEV trailer bill, AB 339

Last session, in developing the bill to enable NEV use on certain Wisconsin roads, the focus was on municipal control.

That is why last session's legislation, 2005 Act 329, provided for local licensing with the revenue staying at the local level as a way to cover any possible associated costs.

Maximizing municipal control, went the reasoning behind last session's legislation, would encourage more municipalities to allow NEV use.

An unforeseen consequence of last session's legislation is that many municipalities have held off on adopting a local ordinance due primarily to concerns related to law enforcement.

Under state statutes, Wisconsin state traffic laws are applicable to state licensed vehicles and those specifically listed in statute as exempt from state registration.

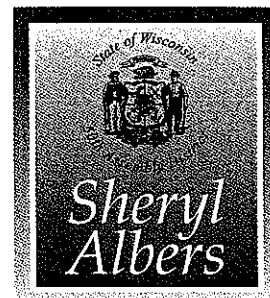
The NEV law provided for municipal registration, but it did not provide for state registration nor exempt NEVs from state registration.

AB 339 provides for state registration. Further, it eliminates municipal registration because that would be duplicative. Importantly, however, AB 339 retains a municipality's control of NEV use on its road via enabling ordinance.

In addition to resolving concerns of law enforcement, state NEV registration also ensures NEV owners that they may operate their NEV in multiple municipalities without having to obtain a municipal license in each municipality.

AB 339 provides for affordable NEV registration, placing NEVs in the same category with mopeds. AB 339 provides for affordable titling fees by exempting NEVs from vehicle emissions-related charges because NEVs have no vehicle emissions.

Finally, DOT has indicated that enactment of this trailer bill will rectify statutory conflicts that have prevented DOT from reaching agreements with municipalities that would enable NEV operation across roads under state jurisdiction.



**Testimony of Rep. Sheryl Albers on AB 339  
For the Assembly Committee on Transportation  
July 19, 2007**

Thank you Chairman Petrowski and members of the committee for allowing me to testify before you today on AB 339, which will help clear the way for greater use of neighborhood electric vehicles, or NEV's, in Wisconsin.

NEV's are a battery electric vehicle restricted by law to operate on roadways not to exceed 35 miles per hour. NEV's are equipped with three-point seat belts, windshields and windshield wipers, running lights, headlights, brake lights, reflectors, rear view mirrors, and turn signals. In many cases, doors may be optional. To be clear, a NEV is NOT a golf cart.

NEV's provide an environmentally friendly and low cost alternative approach to specific transportation needs. NEV's are best suited for a setting such as:

- Urban/commercial – to move people and product in and between buildings
- Rural campgrounds
- Resorts
- Neighborhoods – where services are available within close proximity
- Natural resource areas – that would be harmed if gas powered vehicles were in the area with any frequency.

In addition, NEV's have a lower cost per mile, no air emissions, and some NEV's are made right here in Wisconsin at Columbia Par-Car in Reedsburg.

Last session, the Legislature passed and the Governor signed Act 329, which allows a municipality to pass an enabling ordinance to permit the use of a NEV on a roadway within its jurisdiction with a speed limit of 35 mph or less. Also, municipalities may require licensing of NEV's used within their borders.

It has come to the attention of the DOT, the WI League of Municipalities, Senators Breske and Schultz and I that Act 329 created conflicts with other state statutes, specifically the state traffic code, registration and titling laws, and vehicle equipment laws. Several municipalities around Wisconsin have already passed enabling ordinances for NEV's, or would like to do so. Therefore, it is important that follow up legislation be passed so local governments have clarification of the law and we expand the use of neighborhood electric vehicles.

That is why Senator Breske and I have introduced AB 339. This bill would eliminate municipal licensing of NEV's and replace it with a statewide registration system administered by DOT, however municipalities would still retain local control via an enabling ordinance.

AB 339 would also require the owner of a NEV to pay a certificate of title fee of \$28.50, but is not required to pay the environmental impact fee or supplemental

title fee because NEV's do not emit any air pollution. Also, NEV's would not be subject to the motor vehicle emission inspection and maintenance program.

Finally, AB 339 clarifies the operation of NEV's on municipal roadways. Under the bill, an enabling ordinance may apply to a connecting highway or an intersection where a municipal roadway crosses a state trunk highway. However, the municipality must provide written notice to DOT of the enabling ordinance and identify any connecting highway or state trunk intersection that is included. DOT then has 21 days to consent to the ordinance, reject it, propose modifications, or take no action.

I am grateful to Senator Breske, DOT and the League of Municipalities who all worked with Senator Schultz and me on this much-needed trailer bill and I hope that the committee will take quick action on AB 339.

I would be happy to answer any questions you have at this time.

**Weather**  
Thunderstorms  
Today **80** Tonight **57**  
Details, Page 8C

Chippewa Valley residents  
mark Independence Day.  
City/Region, 1B



**Thursday**  
July 5, 2007

A security official, who

said on condition of anonymity because he was not authorized to talk to journalists, said Aziz was captured when he tried to get away

disguised as a woman, wearing a full-length black burqa, and a female police officer tried to search him.

The officer began shouting "This is not a woman," the official said, prompting male officers to seize Aziz. "The suspect later turned out to be the mosque's chief cleric," the official said.

An AP Television News cameraman saw plainclothes police bundling the gray-bearded cleric into the back of a car, which sped away. Javed Iqbal Cheeman, an Interior Ministry official,

See CLERIC, Page 2A

# Electric car owner is itchin' to ride

now home-schooled house in their yard. In March, they fir-

By Brad Bryan

Leader-telegram staff

What is 92 inches long, 50 inches wide, 59 inches high and weighs 1,080 pounds?

Give up? Here are few more clues: It has trunk room for about four bags of groceries, costs less than 2 cents per mile to operate and might be seen

cruising through a neighborhood near you. The answer is: an American-made, Italian-designed, all-electric vehicle called the Kurrent.

Eau Claire resident Perry Noyes hopes city officials will let him drive his on Eau Claire streets by the end of this month.

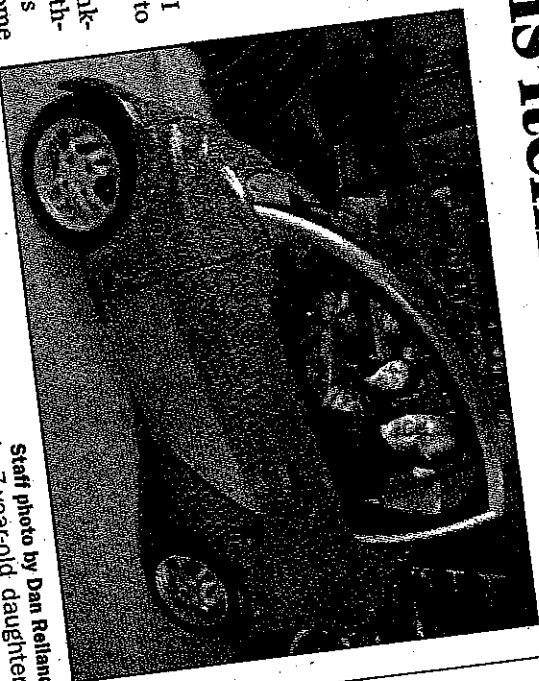
About two weeks ago, Noyes'

new red Kurrent arrived (looking very tiny) on the back of a 48-foot flatbed truck, delivered all the way from the American Electric Vehicle Co. plant in Wixom, Mich. The fledgling company only began making the low-speed vehicles in January.

"I was filling up our van, and it cost \$55," Noyes said. "I thought 'I could use that \$55 to do something else.'"

That's when he began thinking that there had to be another way to make routine trips from his downtown area home to work, the grocery store or, say, Menards.

See CAR, Page 2A

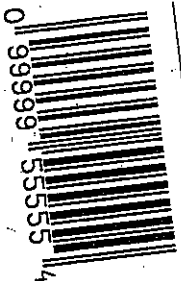


Staff photo by Dan Reiland  
Perry Noyes of Eau Claire and his 7-year-old daughter, Emma, sat in their new Kurrent electric car in the garage of their Fulton Street home.



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# can only go 35 mph

from Page 1A

"Just to drive a car to work, and then park it in the parking lot all day just didn't make sense," Noyes said.

The vehicle, and others like it, are called Neighborhood Electric Vehicles, or NEVs. They can only be operated on streets with speed limits under 35 mph, their maximum speed, and only in places that have ordinances to register them. Currently, Eau Claire does not. But Noyes hopes to change that.

"You have to map out the city, and think 'I can't go as the crow flies, I'll have to take the scenic route,'" Noyes said.

Before he purchased the vehicle, Noyes talked to officials in several communities, including Eau Claire, about making it legal to operate on the streets.

He learned that La Crosse officials had passed an ordinance in 2006 that allowed NEVs to operate on city streets, and then he began working Eau Claire City Council member Bob Von Haden and City Attorney Stephen Nick on drafting an ordinance similar to La Crosse's.

"I think at this point, and if it's properly controlled, it would be a good idea," said Von Haden on allowing the slow vehicles on city streets.

A word of caution — when and if the ordinance is passed by the city later this month — pay attention to the city limits because it would still be illegal to operate the vehicles on streets in Lake Hallie or Altoona, which share borders with Eau Claire.

"Those other jurisdictions would have to pass their own ordinance to make that possible," Nick said.

Bryan can be reached at (800) 236-7077, 830-5840 or [brad.bryan@ecpc.com](mailto:brad.bryan@ecpc.com).

## Not-so-fast Facts

Here is a look at the American Electric Vehicle Company's Kurrent electric car.

**Maximum speed:** 35 mph.

**Price:** roughly \$10,000.

**Cost to operate:** less than 2 cents per mile.

**Miles per charge:** 40.

**Charge time:** Eight hours, using a 110-volt outlet.

**Passengers:** Two.

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LEADER-TELEGRAM

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# COMING THIS WEEKEND



A diving accident 11 years ago put Shawn Dean in a wheelchair, but it hasn't dampened the former Memorial High School swimmer's spirit or stopped him from achieving his goals.



The Northern Wisconsin State Fair Ju 11-15 in Chippewa Falls will feature entertainers such as Rodney Atkins and Blue Oyster Cult. Fair-goers also can see the "Wild Whitetails" display of 20 deer mounts of unique antler configurations.

LEADER-TELEGRAM



Discover Life!

## Ozone Non-attainment Counties By State

State	Current Std	0.070 ppm	0.060 ppm
N. Dakota	0	0	1
Ohio	33	48	48
Rhode Island	5	5	5
S. Carolina	6	29	31
Utah	0	11	12
Wisconsin	10	25	35

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Costs us  
business

## Potential Impacts on States

- Several non-attainment areas already concluding attainment with *current standard* is not feasible with existing technologies

Billions have been spent by some areas to reach attainment with no prospect of success

Significant portion of emissions inventory outside of State control

Eliminate all stationary sources, some areas will still not reach attainment by statutory deadlines

State response → impose stringent controls on stationary sources

Highway funding and other sanctions possible

Tightening existing standard will put many more areas into an impossible situation

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We pay - fines  
feds pay  
not less

## Even Small Changes in the Existing Standard → Large Impacts

### *Number of Non-Attainment Counties*

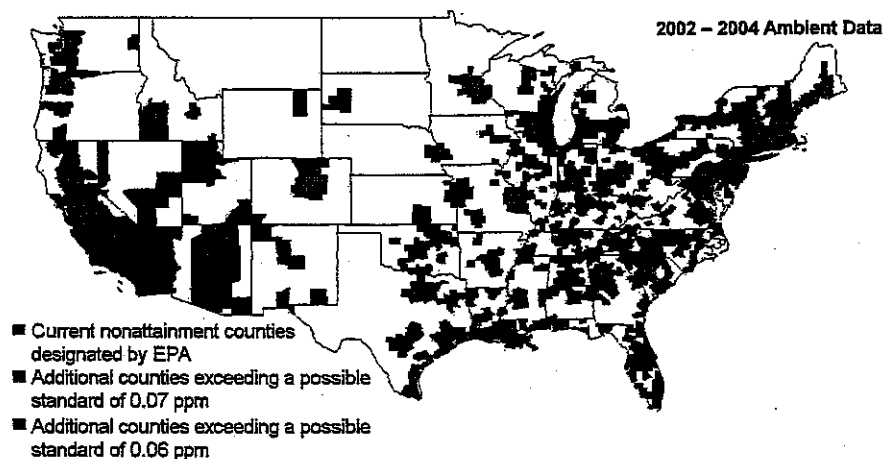
0.084 ppm Current Std	0.080 ppm	0.070 ppm	0.060 ppm
<b>455</b>	<b>653</b>	<b>1087</b>	<b>1243</b>

Correcting for rounding error will cause 200 counties to flip into non-attainment.

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## Key Issues

### *Impact of Changing Ozone Standard*







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To: Assembly Committee on Transportation  
From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities  
Date: July 19, 2007  
**Re: Support for AB 339, Neighborhood Electric Vehicle Act Trailer Bill**

The League of Wisconsin Municipalities supports AB 339, the trailer bill to last session's Act 329, which allowed municipalities to authorize the use of neighborhood electric vehicles (NEVs) on municipal streets. Pursuant to the authority provided by Act 329, last year several municipalities adopted ordinances authorizing the use of NEVs on local streets. Many other municipalities contemplated adopting such ordinances but chose not to when they learned that DOT would not register such vehicles. While a few communities adopted a local registration process to address this issue, many others chose not to register NEVs because of cost and logistical concerns.

AB 339 clears up the confusion relating to registration of NEVs by eliminating municipal licensing and requiring instead that NEVs be licensed by the department of transportation. The bill also clarifies and modifies municipal authority to allow operation of NEVs on the municipality's roadways.

The League supports this bill because it cleans up the registration issue while continuing to allow municipalities to choose whether to allow such vehicles on local streets.

We appreciate Rep. Albers and Sen. Schultz's hard work on this trailer legislation.

We urge the Committee to recommend passage of AB 339. Thanks for considering our comments.